



STATE OF MISSISSIPPI
DEPARTMENT OF ENVIRONMENTAL QUALITY
JAMES I. PALMER, JR.
EXECUTIVE DIRECTOR

February 14, 1995

Mr. Mark Williams

→ Randall-Textron

10179 Commerce Park Drive
Cincinnati, Ohio 45246

Dear Mr. Williams,

The Mississippi Department of Environmental Quality (MDEQ) has received and reviewed your Equalization Lagoon Closure Report of December 10, 1994, and subsequent drawings submitted January 4, 1995. Also, I have recently visited the closed lagoon site. Except for a couple of minor erosion problems, MDEQ considers the lagoon to have been properly and completely closed.

There are two or three small areas where erosion has begun which will need to be repaired and reseeded, but overall the site has held up well to the rain in December and January. The site will need to be continually maintained in accordance with your post-closure plan and part 264.117 through 264.120 of the Mississippi Hazardous Waste Management Regulations (MHWMR).

If there are any questions or comments please contact me.

Sincerely,

A handwritten signature in black ink that reads "Andrew S. Covington".

Andrew S. Covington
Hazardous Waste Division

ASC:gd

cc: James S. Kutzman, EPA
Dale Evans, P.E., Seacor International Inc.



STATE OF MISSISSIPPI
DEPARTMENT OF ENVIRONMENTAL QUALITY
JAMES I. PALMER, JR.
EXECUTIVE DIRECTOR

July 13, 1995

CERTIFIED MAIL NO. Z 200 269 662

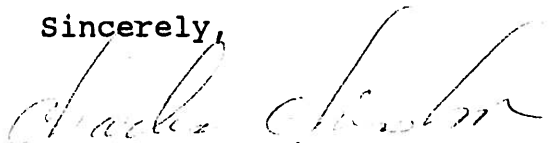
Mr. Mark Williams
Randall-Extron, Inc.
10179 Commerce Park Dr.
Cincinnati, OH 45246

Dear Mr. Williams:

Enclosed is a copy of an amendment to Administrative Order No. 2879 94, which has been issued by the Mississippi Department of Environmental Quality as a result of new evidence in this cause. Your cooperation in carrying out the provisions of this amended order is encouraged.

If you have questions, please contact Mr. David Peacock at telephone #601/961-5171.

Sincerely,


Charles H. Chisolm, Head
Office of Pollution Control

CHC:pl
Enclosure

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

AMENDMENT TO
AGREED ORDER NO. 2879 94

ROCKWELL INTERNATIONAL, CORP. AND
RANDALL-TEXTRON

RESPONDENTS

AGREED ORDER AMENDMENT

Mississippi Commission Environmental Quality Order No. 2879 94 previously issued on July 22, 1994 in the above captioned matter, came on this day for reconsideration upon the joint request of the Mississippi Commission on Environmental Quality, Complainant and Rockwell International, Corp. and Randall Textron, Inc., Respondents, and the Executive Director of the Mississippi Department of Environmental Quality having received additional information in this cause, finds that the requirements outlined in the above-referenced Order should be amended as follows:

1.


The date of March 31, 1995 of Item C, of Part 2 of the Order should be changed to July 31, 1995.

2.

Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Section 49-17-31 of the Mississippi Code Annotated (Supp. 1989), and that it has made an informed waiver of that right.

ORDERED, this the 18th day of July, 1995.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 
J. J. PALMER, JR.
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the _____ day of _____, 1995.

MARK WILLIAMS (FOR RANDALL / TEXTRON)
RESPONDENT 5/5/95

RESPONDENT



STATE OF MISSISSIPPI

DEPARTMENT OF ENVIRONMENTAL QUALITY

JAMES I. PALMER, JR.
EXECUTIVE DIRECTOR

April 28, 1995

CERTIFIED MAIL NO. Z 765 989 364

Mr. Mark Williams
Randall-Texttron, Inc.
10179 Commerce Park Drive
Cincinnati, Ohio 45246

Dear Mr. Williams:

Re: Agreed Order Amendment
Rockwell International, Corp. and
Randall-Texttron Inc.

Enclosed is an agreed order amendment which addresses the interim remediation of the landfill at the above referenced facility. Please review this document and, if the wording and conditions contained within it are agreeable to Rockwell International, Corp. and Randall-Texttron, Inc., have it signed and dated by the responsible company official and returned to my attention as soon as possible. If the wording and conditions are not agreeable to Rockwell International, Corp., and Randall-Texttron, Inc., please contact me at your earliest convenience so that we can discuss any changes that may be necessary.

If you should have any other questions or comments, please contact me at 601-961-5305.

Sincerely,

Andrew S. Covington

Andrew Covington
Hazardous Waste Division

AC:gd
Enclosure

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

AMENDMENT TO
AGREED ORDER NO. 2879 94

ROCKWELL INTERNATIONAL, CORP. AND
RANDALL-TEXTRON

RESPONDENTS

AGREED ORDER AMENDMENT

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2.

Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Section 49-17-31 of the Mississippi Code Annotated (Supp. 1989), and that it has made an informed waiver of that right.

ORDERED, this the _____ day of _____, 1995.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: _____
J. I. PALMER, JR.
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the _____ day of _____, 1995.

RESPONDENT

RESPONDENT



STATE OF MISSISSIPPI

DEPARTMENT OF ENVIRONMENTAL QUALITY

JAMES I. PALMER, JR.
EXECUTIVE DIRECTOR

April 28, 1995

CERTIFIED MAIL NO. Z 765 989 365

Mr. Phillip Backlund
Rockwell International Corp.
2135 West Maple Road
Troy, Michigan 48084

Dear Mr. Backlund:

Re: Agreed Order Amendment
Rockwell International, Corp. and
Randall-Textron Inc.

Enclosed is an agreed order amendment which addresses the interim remediation of the landfill at the above referenced facility. Please review this document and, if the wording and conditions contained within it are agreeable to Rockwell International, Corp. and Randall-Textron, Inc., have it signed and dated by the responsible company official and returned to my attention as soon as possible. If the wording and conditions are not agreeable to Rockwell International, Corp., and Randall-Textron, Inc., please contact me at your earliest convenience so that we can discuss any changes that may be necessary.

If you should have any other questions or comments, please contact me at 601-961-5305.

Sincerely,

Andrew S. Covington

Andrew Covington
Hazardous Waste Division

AC:gd
Enclosure

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

AMENDMENT TO
AGREED ORDER NO. 2879 94

ROCKWELL INTERNATIONAL, CORP. AND
RANDALL-TEXTRON

RESPONDENTS

AGREED ORDER AMENDMENT

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1.

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2.

Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Section 49-17-31 of the Mississippi Code Annotated (Supp. 1989), and that it has made an informed waiver of that right.

ORDERED, this the _____ day of _____, 1995.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: _____
J. I. PALMER, JR.
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the _____ day of _____, 1995.

RESPONDENT

RESPONDENT

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

2397
ORDER NO. _____

95

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

RESPONDENT

MSD007037278
ROCKWELL INTERNATIONAL CORPORATION
GRENADA COUNTY, MISSISSIPPI

AGREED ORDER

COME NOW THE Mississippi Commission on Environmental Quality (Commission), Complainant, and Rockwell International Corporation, Respondent, in the above captioned cause and agree as follows:

1.

Respondent neither admits nor denies the allegation set forth below.

2.

On June 9, 1994, Respondent was contacted by Complainant and notified that the Compliance Evaluation Inspection at Randall Textron on July 28, 1993, revealed the following violations:

1. MHWMR 262.11: At the time of the inspection a hazardous waste determination on the drummed drill cuttings had not been performed.

2. MHWMR 262.34(a): Waste that was later determined to be hazardous was stored for more than 90 days without appropriate permitting.

3.

In lieu of a formal enforcement hearing concerning the violations listed above, Complainant and Respondent agree to settle this matter as follows:

1. Respondent agrees to pay and the Complainant agrees to accept the sum of \$6,000, said sum to be paid as a full and complete settlement thereof in its entirety no later than February 15, 1995.

4.

In the event Respondent fails to comply with any of the terms of this Agreed Order, the Agreed Order shall become fully enforceable through the appropriate chancery court. The Mississippi Department of Environmental Quality, acting on behalf of the Commission, may proceed in chancery court and may submit an affidavit to the chancery court, along with an appropriate complaint to enforce this Order of the Commission, and such affidavit shall be prima facie evidence upon which to obtain a final judgement against Respondent, in favor of the Mississippi Commission on Environmental Quality.

5.

Nothing in this Agreed Order shall limit the rights of the Mississippi Department of Environmental Quality or the Mississippi Commission on Environmental Quality in the event Respondent fails to comply with this Order. This agreement shall be strictly construed to apply to those matters expressly resolved herein.

6.

No time limit shall be extended by the Mississippi Department of Environmental Quality unless such extension is in writing and signed by the Executive Director of the Mississippi Department of Environmental Quality.

7.

Nothing contained in this Agreed Order shall limit the rights of the Complainant to take enforcement or other actions against Respondent for violations not addressed herein and for future violations of environmental laws, rules and regulations.

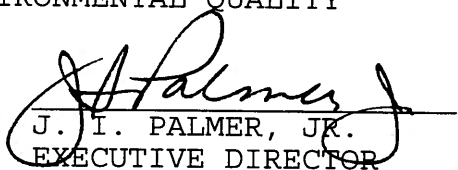
8.

Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Section 49-17-31 of the Mississippi Code Annotated (1972), as amended, and that it has made an informed waiver of that right.

ORDERED, this the 2nd day of February, 1995.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY:


J. I. PALMER, JR.
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

ACCEPTED AND AGREED TO, this the 30th day
of JANUARY, 1995.

RESPONDENT

BY: Philip B. [Signature]

TITLE: DIRECTOR, FACILITIES ADM.



STATE OF MISSISSIPPI

DEPARTMENT OF ENVIRONMENTAL QUALITY

JAMES I. PALMER, JR.
EXECUTIVE DIRECTOR

February 7, 1995

CERTIFIED MAIL NO. Z 200 269 612

Mr. Phil Backlund
Director Facilities Administration
Rockwell International Corporation
2135 West Maple Road
Troy, Michigan 48084-7186

Dear Mr. Backlund:

In order to settle certain environmental Randall-Textron facility in Grenada County agreed to the conditions of Administrative copy of the order is enclosed.

The penalty check should be made payable Department of Environmental Quality and sent Fee Section, P.O. Box 20325, Jackson, Missi

If you have any questions in this matter, please contact Charles Ch. Covington at telephone #601-961-5171.

Sincerely,

Charles Ch. Covington
Charles Ch.
Office of 1

CHC:mh

Enclosure

OFFICE OF POLLUTION CONTROL, P. O. BOX 10385, JACKSON, MS 39289-0

Thank you for using Return Receipt Service.

I also wish to receive the following services (for an extra fee):	
1. <input type="checkbox"/> Addressee's Address	2. <input type="checkbox"/> Restricted Delivery
Consult postmaster for fee.	
4a. Article Number Z 200 269 612	
4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
7. Date of Delivery 2-13-95	
8. Addressee's Address (Only if requested and fee is paid)	
5. Signature (Addressee) <i>Phil Backlund</i>	
6. Signature (Agent) <i>Charles Ch. Covington</i>	

PS Form 3800, March 1993

United States Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

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P.O. State and	Postage
Certified Fee	Special Deliver
Restricted Deliv	Return Receipt to Whom & Date
Return Receipt Date, and Add	TOTAL Postage & Fees
Postmark or	

Mr. Phil Backlund
Director Facilities Adm.
Rockwell International Corp.
2135 West Maple Road
Troy, MI 48084-7186

Charles Ch. Covington

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MAR 18 1991

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 2012 91

RANDALL TEXTRON
RANDALL DIVISION OF TEXTRON INC.
MSD007037278

RESPONDENT

AGREED ORDER

COME NOW THE Mississippi Commission on Environmental Quality
(Commission), Complainant, and Randall Textron, Respondent, in the
above captioned cause and agree as follows:

1.

On December 18, 1990, Respondent was contacted by Complainant
and notified of the following alleged violation(s):

- A. Respondent failed to notify EPA and/or State of Mississippi of the management of hazardous waste (F006 and D007) in Respondent's equalization lagoon as required by Mississippi Hazardous Waste Management Regulations (MHWMR) Part 262 Subpart A.
- B. Respondent failed to submit an application and obtain a RCRA operating permit for the equalization lagoon as required by MHWMR Part 270.10.
- C. Respondent failed to comply with groundwater monitoring requirements as required by MHWMR Part 265 Subpart F, for the equalization lagoon.
- D. Respondent managed wastes subject to land ban restrictions in the equalization lagoon after August 8, 1988, without complying with MHWMR Part 268.8.
- E. Respondent failed to provide documentation of financial assurance for closure/post closure costs, and liability requirements as required by MHWMR Part 265 Subpart H.

2.

In lieu of a formal enforcement hearing concerning the alleged violation(s) listed above, Complainant and Respondent agree to settle this matter as follows:

- A. Respondent agrees to pay and Complainant agrees to accept, the sum of \$69,438; said sum to be paid as a full and complete settlement of all alleged and potential claims relating to Respondent's equalization lagoon in its entirety no later than April 15, 1991.

B. Respondent shall comply with MHWMR Part 265 Subparts A, B, C, D, E and H by June 1, 1991. *Verified per Compliance Inspection June 7, 1991*

C. Respondent ceased discharge of all electroplating wastewater to the equalization lagoon on or about July 20, 1990. Discharge of electroplating wastewater to the equalization lagoon is hereby prohibited.

D. By September 1, 1991, Respondent shall cease discharge of all "nonhazardous" wastes into the equalization lagoon by diverting the wastes to a new waste management unit or through alternative means.

E. By July 1, 1991, Respondent shall submit a groundwater monitoring plan that will comply with Parts 264 and 265 Subpart F for a detection monitoring system. The plan shall be in conformance with the September, 1986 Ground-Water Technical Enforcement Guidance Document (TEGD) and as a minimum contain the following information:

- I. Characterization of the site hydrogeology;
- II. Well construction details;
- III. Proposed well locations;
- IV. Sampling and analysis plan;
- V. Proposed statistical analysis of monitoring data; and
- VI. Implementation schedule to include; construction of wells, sampling and analysis, and a final report of all activities conducted as part of the groundwater monitoring plan

Upon written approval, Respondent shall implement the plan as approved.

- See installation report*
- F. Respondent shall submit closure and post-closure plans as required by MHWMR Parts 264 and 265 Subpart G within 180 days after installation of the groundwater monitoring system.
 - G. Within 180 days of approval of the closure plan by the Mississippi Environmental Quality Permit Board, Respondent shall submit certification of clean closure or a Part B application for a RCRA permit for post-closure to include, if necessary, a corrective action plan for groundwater from the regulated unit.

3.

Reasonable opportunity shall be afforded Respondent in the instance of any Force Majeure to extend the deadlines referenced hereinabove.

4.

Nothing in this Order shall constitute an admission of fact or law by Respondent.

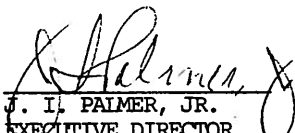
5.

Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Section 49-17-31 of the Mississippi Code Annotated (Supp. 1989), and that it has made an informed waiver of that right.

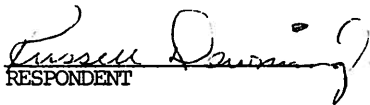
ORDERED, this the 17th day of March, 1991.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY:


J. I. PALMER, JR.
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 15th day of March, 1991.


RESPONDENT

PROPOSED PENALTY

Randall Textron, Inc.

MSD007037278

<u>Violation</u>	<u>Potential for Harm/Extent of Deviation</u>	<u>Amount</u>
Failure to Notify	MHWMR Subpart A Major/Major	22,500

Part I - Justification:

Potential for Harm: Major

Randall Textron operated an earthen hazardous waste surface impoundment without notifying the EPA or DEQ. In the absence of notification, there were no regulatory precautions to guard against migration of the waste or other threats to human health and the environment.

Extent of Deviation: Major

Facility has been operating a hazardous waste surface impoundment without notification to EPA or DEQ.

Part II - Justification

The original owners of the facility had identified the equalization basin as a regulated unit, but it was later deleted after testing of the waste was conducted. Inspections by agency personnel did not identify the unit as hazardous. Randall Textron assumed ownership of the facility in 1985. When they became concerned that the equalization basin was a regulated unit, they contacted the Office of Pollution Control. Consequently, the calculated penalty was reduced by 40%.

PROPOSED PENALTY

Randall Textron, Inc.

MSD007037278

<u>Violation</u>	<u>Potential for Harm/Extent of Deviation</u>	<u>Amount</u>
No Part B - 270.10	Major/Major	22,500

Part I - Justification:

Potential for Harm: Major

The facility failed to submit a Part B permit application, which renders ineffective the regulatory process for ensuring that standards are met which protect human health and the environment.

Extent of Deviation: Major

A Part B permit application is required for operation of a surface impoundment for hazardous waste.

Part II - Justification

The original owners of the facility had identified the equalization basin as a regulated unit, but it was later deleted after testing of the waste was conducted. Inspections by agency personnel did not identify the unit as hazardous. Randall Textron assumed ownership of the facility in 1985. When they became concerned that the equalization basin was a regulated unit, they contacted the Office of Pollution Control. Consequently, the calculated penalty was reduced by 40%.

PROPOSED PENALTY

Randall Textron, Inc.

MSD007037278

<u>Violation</u>	<u>Potential for Harm/Extent of Deviation</u>	<u>Amount</u>
Groundwater - 265 Subpart F	Major/Major	22,500

Part I - Justification:

Potential for Harm: Major

The facility operated an earthen hazardous waste surface impoundment with no system to detect the migration of hazardous constituents into the underlying groundwater, with the resulting threat to human health and the environment.

Extent of Deviation: Major

No groundwater monitoring system was in place.

Part II - Justification

The original owners of the facility had identified the equalization basin as a regulated unit, but it was later deleted after testing of the waste was conducted. Inspections by agency personnel did not identify the unit as hazardous. Randall Textron assumed ownership of the facility in 1985. When they became concerned that the equalization basin was a regulated unit, they contacted the Office of Pollution Control. Consequently, the calculated penalty was reduced by 40%.

ECONOMIC BENEFIT FOR FAILURE TO NOTIFY

$$\text{Economic Benefit} = AC (1-T) + (DC * i)$$

where, AC = Avoided Costs
 T = Marginal Tax Rate (assumed to be 0.46)
 DC = Delayed Costs
 i = IRS Interest Rate

Avoided Cost : Weekly Inspections
 (1 hr/wk) * (\$15/hr) * (52wk/yr) = \$780/yr

Delayed Costs = 0

Economic Benefit

Economic Benefit

Total economic benefit from July 1, 1985 - Sept 30, 1990:

$$\begin{aligned} EB &= 63\text{mo.}/12\text{mo.} * [780 * (1-0.46)] \\ &= 63/12 * 421.20 \\ &= \$2,211.00 \end{aligned}$$

ECONOMIC BENEFIT FOR FAILURE TO SUBMIT PART B APPLICATION

$$\text{Economic Benifit} = AC (1-T) + (DC * i)$$

where, AC = Avoided Costs
T = Marginal Tax Rate (assumed to be 0.46)
i = IRS Interest Rate

Avoided Cost = 0
Delayed Costs = \$50,000

Economic Benefit

July 1, 1985 - Dec 31, 1985 Interest Rate=11%
EB = 6mo./12mo. * (50,000 * 0.11)
= \$2,750

Jan 1, 1986 - June 30, 1986 Interest Rate=10%
EB = 6mo./12mo. * (50,000 * 0.10)
= \$2,500

July 1, 1986 - Sept 30, 1987 Interest Rate=9%
EB = 15mo./12mo. * (50,000 * 0.09)
= \$5,625

Oct 1, 1987 - Dec 31, 1987 Interest Rate=10%
EB = 3mo./12mo. * (50,000 * 0.10)
= \$1,250

Jan 1, 1988 - March 31, 1988 Interest Rate=11%
EB = 3mo./12mo. * (50,000 * 0.11)
= \$1,375

April 1, 1988 - Sept 30, 1988 Interest Rate=10%
EB = 6mo./12mo. * (50,000 * 0.10)
= \$2,500

Oct 1, 1988 - March 31, 1989 Interest Rate=11%
EB = 6mo./12mo. * (50,000 * 0.11)
= \$2,750

April 1, 1989 - Sept 30, 1989 Interest Rate=12%
EB = 6mo./12mo. * (50,000 * 0.12)
= \$3,000

Oct 1, 1989 - Sept 30, 1990 Interest Rate=11%
EB = 50,000 * 0.11
= \$5,500

TOTAL ECONOMIC BENEFIT July 1, 1985 - Sept 30, 1990

$$EB = 2,750 + 2,500 + 5,625 + 1,250 + 1,375 + 2,500 + 2,750 + 3,000 + 5,500$$

$$\text{Economic Benefit} = \$27,250.00$$

ECONOMIC BENEFIT FOR NO GROUNDWATER MONITORING SYSTEM

$$\text{Economic Benefit} = AC (1-T) + (DC * i)$$

where, AC = Avoided Costs
T = Marginal Tax Rate (assumed to be 0.46)
DC = Delayed Costs
i = IRS Interest Rate

Delayed Costs: First-Year Costs

1. Cost of groundwater analysis, sampling, and analysis plans	2,000
2. Cost of Wells (1 upgradient, 2 downgradient)	8,000
3. Cost of Sampling	1,640
4. Cost of Analysis	11,360
5. Cost of Report	<u>3,200</u>
Total =	\$26,200

Avoided Costs: Second and Subsequent Years

Costs of sampling and analysis \$1,900

Economic Benefit

FIRST YEAR

July 1, 1985 - Dec 31, 1985 Interest Rate=11%
EB = 6mo./12mo. * (26,200 * 0.11)
= \$1,441.00

Jan 1, 1986 - June 30, 1986 Interest Rate=10%
EB = 6mo./12mo. * (26,200 * 0.10)
= \$1,310.00

SECOND AND SUBSEQUENT YEARS

July 1, 1986 - Sept 30, 1987 Interest Rate=9%
EB = 15mo./12mo. [1900*(1-0.46) + 26,200*(0.09)]
= 15/12 * (1026 + 2358)
= \$4,230.00

Oct 1, 1987 - Dec 31, 1987 Interest Rate=10%
EB = 3mo./12mo. [1900*(1-0.46) + 26,200*(0.10)]
= 1/4 * (1026 + 2620)
= \$911.50

Groundwater Monitoring

Economic Benefit

Jan 1, 1988 - March 31, 1988 Interest Rate=11%

$$\begin{aligned} \text{EB} &= 3\text{mo.}/12\text{mo.} [1900*(1-0.46) + 26,200*(0.11)] \\ &= 1/4 * (1026 + 2882) \\ &= \$977.00 \end{aligned}$$

April 1, 1988 - Sept 30, 1988 Interest Rate=10%

$$\begin{aligned} \text{EB} &= 6\text{mo.}/12\text{mo.} [1900*(1-0.46) + 26,200*(0.10)] \\ &= 1/2 * (1026 + 2620) \\ &= \$1,823.00 \end{aligned}$$

Oct 1, 1988 - March 31, 1989 Interest Rate=11%

$$\begin{aligned} \text{EB} &= 6\text{mo.}/12\text{mo.} [1900*(1-0.46) + 26,200*(0.11)] \\ &= 1/2 * (1026 + 2882) \\ &= \$1,954.00 \end{aligned}$$

April 1, 1989 - Sept 30, 1989 Interest Rate=12%

$$\begin{aligned} \text{EB} &= 6\text{mo.}/12\text{mo.} [1900*(1-0.46) + 26,200*(0.12)] \\ &= 1/2 * (1026 + 3144) \\ &= \$2,085.00 \end{aligned}$$

Oct 1, 1989 - Sept 30, 1990 Interest Rate=11%

$$\begin{aligned} \text{EB} &= [1900*(1-0.46) + 26,200*(0.11)] \\ &= 1026 + 2882 \\ &= \$3,908.00 \end{aligned}$$

TOTAL ECONOMIC BENEFIT

July 1, 1985 - Sept 30, 1990

$$\text{EB} = 1441.00 + 1310.00 + 4230.00 + 911.50 + 977.00 + 1823.00 + 1954.00 + 2085.00 + 3908.00$$

$$\text{Economic Benefit} = \$18,639.50$$

ECONOMIC BENEFIT FOR NO LIABILITY INSURANCE

$$\text{Economic Benefit} = AC (1-T) + (DC * i)$$

where, AC = Avoided Costs
T = Marginal Tax Rate (assumed to be 0.46)
DC = Delayed Costs
i = IRS Interest Rate

Delayed Costs = 0

Avoided Costs: Cost of Insurance

Sudden = 1 mill per occur/2mill per annual aggregate

Non-sudden = 3 mill per occur/6 mill per annual aggregate

Total Liability = \$20,000/mill•yr * 8 mill = \$160,000/yr

Economic Benefit

Total economic benefit from July 1, 1985 - Sept 30, 1990:

$$\begin{aligned} EB &= 63\text{mo.}/12\text{mo.} * [160,000 * (1-0.46)] \\ &= 63/12 * (86,400) \\ &=\$453,600.00 \end{aligned}$$

RANDALL TEXTRON

Failure to Notify MHWMR 262 Subpart A

Potential for Harm: Major- Facility operated an earthen impoundment containing hazardous waste without MSDEQ knowledge or regulation.

Extent of Deviation: Major- Knowledge of hazardous waste activity is the basis for regulation under the RCRA program.

Part B Application MHWMR 270.10

Potential for Harm: Major- Facility operated a surface impoundment containing hazardous waste without adequate containment and leachate collection/detection system.

Extent of Deviation: Major- Treating and storing hazardous waste for longer than ninety days without interim status or a permit.

Groundwater Requirements MHWMR 265 Subpart F

Potential for Harm: Major- Operated an earthen impoundment containing hazardous waste without a groundwater monitoring system.

Extent of Deviation: Major- Operated a surface impoundment with no groundwater monitoring program in place.

Land Ban MHWMR 268

Potential for Harm: Major- Operated an earthen impoundment containing hazardous waste above the treatment standard.

Extent of Deviation: Major- Violating land ban requirements since effective date, August 8, 1988.

Liability Insurance MHWMR 265.147

Potential for Harm: Moderate- Facility is fenced in with security personnel. Chromium concentration levels not extremely high.

Extent of Deviation: Major- Substantial noncompliance with RCRA regulations.



Patty

STATE OF MISSISSIPPI
DEPARTMENT OF ENVIRONMENTAL QUALITY
JAMES I. PALMER, JR.
EXECUTIVE DIRECTOR

October 13, 1995

CERTIFIED MAIL NO. Z 200 261 796

Randall Textron Corporation
635 Highway 332
Grenada, MS 38901
ATTN: Mr. Frank Logan - Plant Manager

Re: Compliance Evaluation Inspection
September 22, 1995
Randall Textron - MSD007037278

Dear Mr. Logan:

Enclosed please find an inspection report and checklist that was completed as a result of the above referenced inspection. This inspection revealed the following apparent violations of the Mississippi Hazardous Waste Management Regulations (MHWMR):

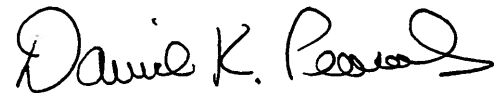
- 1) MHWMR 265.14(c) - Randall Textron failed to have proper signs reading "Danger - Unauthorized Personnel Keep Out" posted at all entrances to closed surface impoundment.
- 2) MHWMR 265.119(b)(2)- Randall Textron failed to notify the Regional Administrator that the proper deed notation had been filed with the appropriate agency within sixty (60) days of certification of closure for the surface impoundment. A copy of this instrument was also required to be provided to this office.

We request that you respond to these apparent violations within 10 days of receipt of this letter. This response should contain: (1) actions that have been taken to correct the violations, (2) a schedule for correcting the violations, or (3) reasons that you believe the alleged violations did not exist. The alleged violations may require a penalty, including a multi-day penalty,

under the RCRA Penalty Policy and should be corrected immediately. This office will review your response before determining if further action including a penalty is warranted. Section 17-17-29 of the Mississippi Code Annotated (Supp. 1991) allows assessments of penalties not to exceed \$25,000 per day per violation. Failure to submit this information may result in additional enforcement action.

If you have any questions or comments, do not hesitate to contact me at (601) 961-5220.

Sincerely,

A handwritten signature in black ink, reading "David K. Peacock". The signature is fluid and cursive, with the first name "David" being the most prominent.

David K. Peacock
Hazardous Waste Division

Enclosures

pc: Mr. James S. Kutzman, EPA (w/enclosures)

Micro copy 62

WASTE MANAGEMENT

JAN 4 4 03 PM '95

SECOR
International Incorporated

Scott

January 4, 1995

Mr. Alan Farmer
Chief of RCRA Branch
USEPA Region IV
345 Cortland Street, N.E.
Atlanta, Georgia 30365

Re: Equalization Lagoon Closure Report
Randall-Textron
Grenada, Mississippi

Dear Mr. Farmer:

On behalf of Randall-Textron, enclosed are your copies of the final drawings for the "Equalization Lagoon Closure Report" which was submitted to your office on December 10, 1994. The final drawings were delayed due to computer problems encountered by our subcontracted, third-party engineering firm, Willis Engineering. Copies of each of these drawings have also been forwarded to the State of Mississippi, Department of Environmental Quality, Office of Pollution Control.

If you have any questions, please do not hesitate to contact us.

Sincerely,

SECOR International Incorporated

John R. Baker

Johnie R. Baker
Principal Engineer

Enclosures

cc: Dale Evans, SECOR
Mark Williams, Randall Textron

1001ca01.jrb

*1/2/97 Replaced blank sheet covers
with drawings - Jan M.*